



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,870	12/18/2000	Gurbinder Singh Kalsi	60,130-925	7086

26096 7590 11/27/2002

CARLSON, GASKEY & OLDS, P.C.
400 WEST MAPLE ROAD
SUITE 350
BIRMINGHAM, MI 48009

EXAMINER

WALSH, JOHN B

ART UNIT	PAPER NUMBER
----------	--------------

3676

DATE MAILED: 11/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/674,870

Applicant(s)

GURBINDER SINGH KALSI

Examiner

John B. Walsh

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 26-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8,9 and 39 is/are allowed.
- 6) ☒ Claim(s) 1-3,5-7,10,11,14-24,26-28,33-38 and 40-46 is/are rejected.
- 7) ☒ Claim(s) 4,12,13 and 29-32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 43 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 42 recites "to move at least one of the lock links between the first and second positions". Claim 43 recites "from the second to the first positions". This limitation is already covered by the limitation of "between the first and second positions".

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 5, 10, 16, 17, 32, 33, 34 and 40 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 5, 10, 32, 33 and 40 recite both the inside and outside lock link. By reciting both the inside and outside lock links is contradictory, since the claims are dependent upon claims wherein only at least one of the inside and outside lock links are being claimed. The examiner will examine the claims above as if these claims recited the limitation that the at least one inside and outside lock link comprise both an inside and outside lock link.

Claim 16 recites the power actuator which indexes a cam. There is insufficient antecedent basis for this limitation in the claim. A power actuator for the pawl had been previously recited not a power actuator for a cam.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

5. Claims 1-3, 6, 7, 11, 14, 15, 18-24, 26-28, 35, 37, 38 and 41-46 are rejected under 35

U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,062,613 to Jung et al.

Jung et al. '613 disclose a housing (1); a pawl (2) mounted in the housing to release a latch (3); at least one of an inside and outside lock link (18) mounted so as to be movable between a first position (column 3, lines 66-67) at which operation of an associated release member (8,9) causes movement of the pawl to release the latch, and a second position (column 3, line 67-column 4, line 2) at which operation of the associated release means does not cause movement of the pawl; wherein the at least one lock link is mounted such that movement of the pawl is necessarily accompanied by movement of the link (link mounted to pawl at 20 such that any movement of the pawl will move the link).

As concerns claim 2, the pawl is rotatably mounted in the housing (figure 1).

As concerns claim 3, a pawl lifter (figure 1; lower left element of 2 without ratchet teeth) is connected to the pawl and the at least one lock link is mounted on the pawl lifter (figure 1).

Art Unit: 3676

As concerns claims 6 and 37, indexing of a cam (11) effects movement of the at least one lock link between the first and second positions (column 4, lines 27-54).

As concerns claims 7 and 38, the cam is rotationally mounted for indexing (figures 1 and 2).

As concerns claims 11 and 41, the cam has a plurality of lobes (zv,ks,ns,obw).

As concerns claims 14 and 15, movement of the at least one lock link between the first and second position is effected by a power actuator (handles, which are actuated by power which may come from a person actuating the handle with their hand).

As concerns claim 18, the latch mechanism having a set of operating modes, each mode having alternate states, the set including at least one of a lock mode and a super lock mode (column 4, lines 41-46), and at least one of a child safety mode and a release mode (column 4, lines 47-54), changing of the latch mechanism between alternate states of each of the at least two modes of the set being effected by a single power actuator (22).

As concerns claim 19, the set includes the lock mode and the super lock mode (column 4, lines 28 and 41-46) and at least one of the child safety mode and release mode (column 4, lines 47-54).

As concerns claim 20, the set includes at least one of the lock mode (column 4, line 28) and the super lock mode (column 4, lines 41-46) and both of the child safety mode (column 4, lines 47-54) and release mode (column 4, lines 37-40).

As concerns claim 21, the latch mechanism having a set of operating modes, each mode having alternate states, the set including a child safety mode (column 4, lines 47-54) and a

Art Unit: 3676

release mode (column 4, lines 37-40), changing of the latch mechanism between alternate states of each of the modes being effected by a single power actuator (22).

As concerns claim 22, a latch mechanism (figure 1) having a set of operating modes, each mode having alternate states, the set including at least one of a lock mode and a super lock mode (column 4, lines 41-46), and at least one of a child safety mode and a release mode (column 4, lines 37-40), changing of the latch mechanism between alternate states of each of the at least two modes of the set being effected by a single power actuator (22); wherein a cam having a single plane profile (the profile of the cam, as viewed from the side, is in a single plane) is driven by the actuator to select the states (actuator 22 moves the cam into the different states).

As concerns claim 23, the set includes the lock mode (column 4, line 28) and the super lock mode (column 4, lines 41-46) and at least one of the child safety mode and release mode (column 4, lines 37-40).

As concerns claims 24 and 45, the set includes at least one of the lock mode and the super lock mode (column 4, lines 41-46) and both of the child safety mode (column 4, line 47-54) and release mode (column 4, lines 37-40).

As concerns claims 26 and 44, a vehicle body including a first and second door (column 3, lines 33-34; vehicle inherently has at least two doors), each door including respective first and second latch mechanisms (column 3, lines 33-34; vehicle inherently has a latch mechanism in each door) as defined in claim 1, each mechanism being operable by respective first and second power actuators (22) to give respective first and second sets of operating modes, each mode having alternate states, and control of the power actuators being different to provide for different first and second sets of operating modes (column 4, lines 27-54).

As concerns claim 27, the first and second latch mechanisms are substantially the same (inherent that the latch mechanisms are substantially the same in each door).

As concerns claim 28, a vehicle including a first and second door (column 3, lines 33-34; vehicle inherently has at least two doors), each door including respective first and second latch mechanisms (column 3, lines 33-34; vehicle inherently has a latch mechanism in each door), the first and second latch mechanisms are substantially the same (inherent that the latch mechanisms are substantially the same in each door), and being operable by respective first and second power actuators (22) to give respective first and second sets of operating modes, each mode having alternate states, and control of the power actuators being different to provide for different first and second sets of operating modes (column 4, lines 27-54).

As concerns claims 35, 42 and 43, at least one of an inside and outside lock link (18) movable by the cam (12) between a first and second alternate states (column 3, lines 66-67; column 3, line 67-column 4, line 2).

As concerns claim 46, a latch mechanism (figure 1) having a set of operating modes, each mode having alternate states, the set including a child safety mode (column 4, line 47-54) and a release mode (column 4, lines 37-40), changing of the latch mechanism between alternate states of each of the modes being effected by a single power actuator (22).

6. Claims 22-24, 26-28, 35-38 and 40-46 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,676,003 to Ursel et al.

As concerns claim 22, Ursel et al. '003 discloses a latch mechanism (10) having a set of operating modes, each mode having alternate states, the set including at least one of a lock mode and a super lock mode (column 4, lines 4-5), and at least one of a child safety mode and a release

Art Unit: 3676

mode (column 4, lines 7-10), changing of the latch mechanism between alternate states of each of the at least two modes of the set being effected by a single power actuator (50); wherein a cam having a single plane profile is driven by the actuator to select the states (figure 4, shows cam of single plane profile; column 4, lines 10-15).

As concerns claim 23, the set includes the lock mode (column 2, lines 53-54) and the super lock mode (column 4, lines 4-5) and at least one of the child safety mode and release mode (column 4, lines 7-10).

As concerns claims 24 and 45, the set includes at least one of the lock mode and the super lock mode (column 4, lines 4-5) and both of the child safety mode (column 5, line 14) and release mode (column 4, lines 7-10).

As concerns claims 26 and 44, a vehicle body (column 2, line 31) including a first and second door (column 2, line 32), each door including respective first and second latch mechanisms (10) as defined in claim 1, each mechanism being operable by respective first and second power actuators (50) to give respective first and second sets of operating modes, each mode having alternate states, and control of the power actuators being different to provide for different first and second sets of operating modes (abstract).

As concerns claim 27, the first and second latch mechanisms are substantially the same (10; column 2, lines 31-32).

As concerns claim 28, a vehicle (column 2, line 31) including a first and second door (column 2, line 32), each door including respective first and second latch mechanisms (10), the first and second latch mechanisms are substantially the same (column 2, lines 31-33), and being operable by respective first and second power actuators (50) to give respective first and second

Art Unit: 3676

sets of operating modes, each mode having alternate states, and control of the power actuators being different to provide for different first and second sets of operating modes (abstract).

As concerns claim 35, at least one of an inside and outside lock link (33,32) movable by the cam (column 3, line 28) between a first and second alternate states (column 4, lines 45-47).

As concerns claim 36, the at least one lock link is pivotally mounted for rotational movement between the first and second positions (figure 7 and 9) about a second axis (pin for 33,32).

As concerns claim 37, indexing of a cam (44) effects movement of the at least one lock link between the first and second positions (column 3, line 28).

As concerns claim 38, the cam is rotationally mounted for indexing (figures 5 and 6).

As concerns claim 40, indexing of the cam effects movement of both the inside and outside lock link between the first and second positions (column 3, line 28; column 5, lines 25-26).

As concerns claim 41, the cam has a plurality of lobes (47,48).

As concerns claims 42 and 43, the release means is capable of indexing the cam to move at least one of the lock links between the first and second positions (column 5, lines 29-40).

As concerns claim 46, a latch mechanism (10) having a set of operating modes, each mode having alternate states, the set including a child safety mode (column 5, line 14) and a release mode (column 4, lines 7-10), changing of the latch mechanism between alternate states of each of the modes being effected by a single power actuator (50).

Allowable Subject Matter

7. Claims 8, 9 and 39 are allowed.

8. Claims 4, 5, 10, 12, 13, 16, 17, 29-32 and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Claims 5, 10, 16, 17, 32 and 34 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

10. Claim 33 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

11. The indicated allowability of claim 15 is withdrawn in view of the newly discovered reference to U.S. Patent No. 6,062,613 to Jung et al. A rejection based on the newly cited reference is found above.

Response to Arguments

12. Applicant's arguments with respect to claims 1-24 and 26-46 have been considered but are moot in view of the new ground(s) of rejection to U.S. Patent No. 6,062,613 to Jung et al.

The applicant argues that Ursel does not teach a cam having a single plane profile, with the reasoning that Ursel shows a cam having two plane profiles (47,48). Each cam has a single plane profile. The claims do not rule out the cam comprising separate cams each having a single plane profile.

The applicant argues that Ursel does not teach "a first and second door" with "first and second latch mechanisms" and "control of the power actuators being different". Ursel does disclose multiple doors and multiple latch mechanisms (column 1, lines 43-44; "The construction according to the invention...the door handles serving to open the doors"). Each power actuator

Art Unit: 3676

(50) is independent from the other latch mechanisms in the other doors, thus control of the power actuators may be different.

Response to Amendment

13. The finality of the rejection of the last Office action is withdrawn.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 703-305-0444. The examiner can normally be reached on Monday-Friday from 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-872-9325.


Anthony Knight
Supervisory Patent Examiner
Technology Center 3670

JW
November 21, 2002